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17 *Attorneys for Plaintiffs and the Classes*
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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 DAVID AND NATASHA WIT, *et al.*,
23 Plaintiffs,

24 v.

25 UNITED BEHAVIORAL HEALTH
26 (operating as OPTUMHEALTH
BEHAVIORAL SOLUTIONS),

27 Defendant.

28 GARY ALEXANDER, *et al.*,
Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH
(operating as OPTUMHEALTH
BEHAVIORAL SOLUTIONS),

Defendant.

Case No. 3:14-CV-02346-JCS
Action Filed: May 21, 2014

**JOINT SUBMISSION REGARDING
SUPPLEMENTAL REMEDIES BRIEFING**

Case No. 3:14-CV-05337-JCS
Action Filed: December 4, 2014

1 **JOINT SUBMISSION REGARDING SUPPLEMENTAL REMEDIES BRIEFING**

2 On March 24, 2020, the Court requested additional briefing and information on six topics
3 (Wit ECF No. 448):

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- Topic 1 – Implications of certification of classes under Rule 23(b)(1)(A), (b)(2) and (b)(3)
- Topic 2 – Res judicata effect of a judgment in this action on class members
- Topic 3 – Class list
- Topic 4 – What exclusions may be invoked by UBH in reprocessing
- Topic 5 – Pre- and post- judgment interest
- Topic 6 – Status of UBH Guideline changes and adoption of ASAM, LOCUS and CALOCUS (or other third-party guidelines)

12 The parties have conferred and jointly propose the following briefing schedule:

13 **May 15, 2020:**

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- Plaintiffs file opening submission on Topics 1 and 5.
- UBH files opening submission on Topics 2, 4 and 6.
- Parties file joint submission on Topic 3 (in the event of any areas of disagreement, the parties will set forth their respective positions).

18 **June 15, 2020:**

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- Plaintiffs file responsive submission on Topics 2, 4 and 6.
- UBH files responsive submission on Topics 1 and 5.

21 **July 2, 2020:**

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- Plaintiffs file reply submission on Topics 1 and 5.
- UBH files reply submission on Topics 2, 4 and 6.

24 As for a hearing to address remedies and class certification issues, the parties propose the
25 following dates: July 20-21 or 23-24.

1 Dated: April 7, 2020

ZUCKERMAN SPAEDER LLP

2 /s/ Adam B. Abelson
3 Caroline E. Reynolds (admitted *pro hac vice*)
4 Adam B. Abelson (admitted *pro hac vice*)
D. Brian Hufford (admitted *pro hac vice*)
Jason S. Cowart (admitted *pro hac vice*)

5 PSYCH-APPEAL, INC.
6 Meiram Bendat (Cal. Bar No. 198884)

7 *Counsel for Plaintiffs and the Classes*

8
9 Dated: April 7, 2020

CROWELL & MORING LLP

10 /s/ Andrew Holmer
11 Jennifer S. Romano
12 April N. Ross
13 Andrew Holmer

14 *Counsel for Defendant*
United Behavioral Health

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17 **FILER'S ATTESTATION**

18 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
19 filing of this document has been obtained from the other signatories.

20 Dated: April 7, 2020

21 /s/ Adam B. Abelson
Adam B. Abelson